UNITED STATES PATENT AND TRADEMARK OFFICE

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10/596,465	06/14/2006	Koichi Shimamura	VPM-02001	6948

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EXAMINER
ZHU, BO HUI ALVIN

ART UNIT	PAPER NUMBER
2465	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2010*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4-7 and 9-19* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *4-7 and 9-19* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August

09, 2010 has been entered.

Response to Amendment

2.   The amendment filed on August 09, 2010 has been entered.

Claims 4 – 7 and 9 - 19 are pending.

Claims 4 – 7 and 9 - 19 are rejected.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 4, 5, 9, 10, 13 – 15 and 17 - 19 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Miller et al. "XMPP CPIM Mapping draft-miller-xmpp-cpim-00"

in view of Klein et al. (US 7,263,183).

(1) with regard to claims 4 and 14:

Miller et al. discloses a gateway apparatus (CPIM Gateway, page 4) comprising:

a receiver section that receives first presence information for a given user from one of

the first system and the second system when user presence information of the given

user is changed (section 4.2.2., When sending a presence notification from CPIM to

XMPP, page 11, "A notify operation is invoked whenever the presence information

associated with an XMPP ENTITY or a CPIM PRESENTITY changes and there are

subscribers to that information"); a converter section that converts the first presence

information to second presence information, and wherein content of the first presence

information is different from content of the second presence information, each of the

content of the first presence information and the content of the second presence

information corresponding to the change in the user presence information (section

4.2.2, paragraph under the heading "When sending a presence notification from CPIM

to XMPP" describes a conversion process which converts messages from one protocol

to another protocol).

Miller et al. does not disclose a synchronizer section that provides the second

presence information to the other of the first system and the second system, wherein

the second presence information synchronizes the presence information of the given

user in the first system and the second system.

Klein et al. teaches a synchronizer section that provides presence information of a given user in a first system to a second system, wherein the presence information synchronizes the presence information of the given user in the first system and the second system (Fig. 3, 76, 78).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Miller to include the feature a synchronizer section that provides the second presence information to the other of the first system and the second system, wherein the second presence information synchronizes the presence information of the given user in the first system and the second system as shown in Klein et al in order to ensure the presence information is current.

(2) with regard to claims 5, 10 and 15:

Miler et al. discloses all of the subject matter as discussed in the rejection of claim 4. Miller et al. further discloses a presence conversion table associating presence information of the first system with the presence information of the second system, wherein the converter sector users the presence conversion table to convert the first presence information to the second presence information (4.2.2., page 11, translation from XMPP to CPIM, and from CPIM to XMPP).

(3) with regard to claims 9, 17 and 18:

Miller et al. discloses a system (page 4) comprising: a presence server (CPIM-Compliant Service, page 4); a gateway apparatus (CPIM-Gateway, page 4) that connects a first system (CPIM-Compliant Service, page 4) having the presence server and a second system (XMPP Service, page 4) providing another presence system, the

gateway apparatus including: a receiver section that receives first presence information

for a given user from one of the first system (and the second system when the presence

information of the given user is changed (section 4.2.2., When sending a presence

notification from CPIM to XMPP, Fig. 11); a converter section that converts the first

presence information to second presence information (section 4.2.2, paragraph under

the heading "When sending a presence notification from CPIM to XMPP" describes a

conversion process), wherein the presence server (CPIM-Compliant Service) manages

the presence information of the given user by at least one of: reporting the presence

information of the given user to the second system, via the gateway apparatus, when

the presence information of the given user is changed in the first system (see section

4.2.2., When sending a presence notification from CPIM to XMPP, Fig. 11) and

updating the presence information of the given user in the first system when a report

that the presence information of the given user has changed is received from the

second system via the gateway apparatus(see section 4.2.2., When sending a presence

notification from XMPP to CPIM, Fig. 11)

Miller et al. does not disclose a synchronizer section that provides the second

presence information to the other of the first system and the second system, wherein

the second presence information synchronizes the presence information of the given

user in the first system and the second system.

Klein et al. teaches a synchronizer section that provides presence information of

a given user in a first system to a second system, wherein the presence information

synchronizes the presence information of the given user in the first system and the

second system (Fig. 3, 76, 78).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Miller to include the feature a synchronizer

section that provides the second presence information to the other of the first system

and the second system, wherein the second presence information synchronizes the

presence information of the given user in the first system and the second system as

shown in Klein et al in order to ensure the presence information is current.

5.   Claims 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Miller et al. "XMPP CPIM Mapping draft-miller-xmpp-cpim-00" in view of Klein et al.

(US 7,263,183) and further in view of Boyer et al. (US 2005/0068167).

(1) with regard to claims 13 and 19:

Miller et al. discloses all of the subject matter as discussed in the rejections of

claim 9. Miller et al. however does not disclose reporting updated presence information

to buddies of the given user, wherein the buddies are in at least one of the first system

and the second system.

Boyer et al. teaches reporting updated presence information to buddies of a

given user wherein the buddies are in at least one of the first system and the second

system (paragraph [0025]).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Miller et al. to include the feature of

reporting updated presence information to buddies of the given user, wherein the

buddies are in at least one of the first system and the second system as shown in Boyer

et al. in order to keep the presence information of the buddy list buddy list of a instant

messaging client current.

6.   Claims 6, 7, 11, 12 and 16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Miller et al. "XMPP CPIM Mapping draft-miller-xmpp-cpim-00" in view

of Klein et al. (US 7,263,183) and further in view of Rosenberg et al. "SIP Extensions for

Presence"

        (1) with regard to claims 6, 7, 11, 12 and 16:

        Miller et al. discloses all of the subject matter as discussed in the rejections of

claims 1 and 4. Miller et al. however does not disclose the second system is a SIP-

compliant IP telephone system, and synchronization of presence information is

established with the SIP-compliant IP telephone system through the mutual

transmission of an SIP SUBSCRIBE method.

        Rosenberg et al. teaches an SIP-compliant IP telephone system, and

synchronization of information is established through the mutual transmission of an SIP

SUBSCRIBE method (section 7.1, page 12 - 14; section 7.2, page 14 - 16).

        It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Miller et al. to include the feature of an SIP-

compliant IP telephone system, and synchronization of presence information is

established through the mutual transmission of an SIP SUBSCRIBE method as shown

in Rosenberg et al. in order to support subscriptions and notifications of user presence

for SIP-compliant systems.

Response to Arguments

7.   Applicants' arguments with respect to claims 4 – 7 and 9 - 19 have been

considered but are moot in view of the new ground(s) of rejection necessitated by

applicants'' amendments.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BO HUI A. ZHU whose telephone number is (571)-270-

1086. The examiner can normally be reached on Mon-Thu 10am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jay Patel can be reached on (571)-272-2988. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. A. Z./
Examiner, Art Unit 2465

/Jayanti K. Patel/

Supervisory Patent Examiner, Art Unit 2465